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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,927	11/01/2001	Joseph Morris	210166US67	3502

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EXAMINER

ENG, GEORGE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/682,927	MORRIS, JOSEPH
	Examiner George Eng	Art Unit 2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 01 November 2001.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> .	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 11/7/2001 (paper no. 4) has been considered.

### ***Claim Objections***

2. Claims 1 and 7 are objected to because of the following informalities: claim 1, line 11, replace “any” by --the--; claim 7, line 9, replace “any” by --the-- in order to clarify the claimed limitation, since the term “any” has an alternate meaning that does not positively identify the claimed limitation. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshiura (US PAT. 5,204,895).

Regarding claim 1, Yoshiura discloses a system as shown in figure 1 for selecting a call between first telephone line interface (10) and second telephone line interface (11) depending on a service to be connected to, the system comprising a telephone digit detector for detecting and

buffering a series of digits received from a telephone line connector (col. 3 lines 10-14), a telephone line comparator for determining if the buffered series of digits matches a stored telephone number (col. 3 lines 14-23), and a telephone line switch (9) for directing an outgoing call to the first telephone interface if the telephone number comparator indicates that the buffered series of digits matches the stored telephone number and directing the outgoing call to the second telephone interface if the telephone number comparator indicates that the buffered series of digits does not match the stored telephone number (col. 3 line 24 through col. 5 line 12).

Regarding claim 7, the limitations of the claimed are rejected as the same reasons set forth in claim 1.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 6-7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US PAT. 6,141,341 hereinafter Jones) in view of Sosnowski (US PAT. 5,754,640).

Regarding claim 1, Jones discloses an Internet Protocol telephone system as shown in figure 2 for routing a call between a first telephone line interface (18) and a second telephone line interface (14) depending on a service to be connected to (col. 2 lines 17-31), the system comprising a telephone digit detector (52, figure 5) for detecting and buffering a series of digits

received from a telephone line connector (col. 3 lines 27-29 and col. 9 lines 22-28), a comparator (col. 3 lines 29-30) and a telephone line switch (10) for directing an outgoing call to the first telephone interface, i.e., a POTS mode, and to the second telephone line interface, i.e., a VoIP mode, depending on a detection of the sequence of predetermined signal, i.e., dialed digits (col. 3 lines 30-34 and col. 9 lines 40-61). Jones differs from the claimed invention in not specifically teaching the detection of the sequence of predetermined signal by comparing the buffered series of digits matches a stored telephone number in order to direct the outgoing call to one of the first telephone line interface and the second telephone line interface so that the call is directed to one of the first telephone line interface and the second telephone line interface depending upon whether the buffered series of digits matches the stored telephone number or not. However, Sosnowski teaches a method for qualifying telephone numbers for a selective telephone network according to whether the telephone network services the particular area associated with a dialed telephone number comprising means for comparing the dialed telephone number with a stored telephone number and means for directing an outgoing call to one of a standard telephone network (100, figure 1) and a selective telephone network (200, figure 1) depending upon the comparing result (col. 2 line 66 through col. 4 line 32). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Jones in detecting of the sequence of predetermined signal by comparing the buffered series of digits matches a stored telephone number, as per teaching of Sosnowski, because it enhances the system to qualify telephone number before routing to the selective telephone network.

Regarding claim 6, Jones discloses the second telephone interface (14, figure 2) comprising a Voice-over-IP interface (col. 2 lines 17-25 and col. 9 lines 40-46).

Regarding claim 7, the limitations of the claimed are rejected as the same reasons set forth in claim 1.

Regarding claim 12, the limitations of the claimed are rejected as the same reasons set forth in claim 6.

7. Claims 2-5 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US PAT. 6,141,341 hereinafter Jones) in view of Sosnowski (US PAT. 5,754,640) as applied in claims above and further in view of Nilsson et al. (US PAT. 6,332,073 hereinafter Nilsson).

Regarding claims 2-5, the combination of Jones and Sosnowski differs from the claimed invention in not specifically teaching the stored telephone number comprising an emergency number, i.e., 911, or an information number, i.e., 411. However, Nilsson teaches a system for screening outgoing calls by comparing each digit as it is dialed to the corresponding digit in one or more previously stored numbers in order to enhance the system for being reliably used in emergencies by a user (abstract). Note while Nilsson teaches to compare dialed digits to one or more previously stored number (col. 2 lines 23-64). Thus, it recognizes the stored telephone number comprising an emergency number, i.e., 911 or other number, i.e., 411. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Jones and Sosnowski in having the stored telephone number comprising the emergency number or the information number, as per teaching of Nilsson, because it enhances the system for being reliably used in emergencies by a user.

Regarding claims 8-11, the limitations of the claims are rejected as the same reasons set forth in claims 2-5.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wulkan et al. (US PAT. 5,862,203) discloses a call management system for choosing the optimum telecommunications carrier for telephone calls made by a user (abstract). Wu discloses a call processing system for completing emergency calls despite the use of any fraud protection (col. 5 line 36 through col. 6 line 43). Gordan (US PAT. 4,905,273) discloses a data transmission system for effectively transmission of data over public switched telephone network or data network (col. 2 line 35 through col.5 line 47).

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



George Eng

Examiner

Art Unit 2643